

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Raynee Mercado
Date: 8/6/08

FILED
AUG - 6 2008
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Plaintiff: United States

v.

No. CR-08-00216 CW

Defendant: Carlos Antonio Morales-Garcia (present - in custody
interpreter used)

Appearances for Plaintiff:
Wade Rhyne

Appearances for Defendant:
Rebecca Silbert

Interpreter:
Monique Inciarte (Spanish - sworn)

Probation Officer:
Jessica Goldsberry

Hearing: Sentencing

Notes: Defendant withdraws his request for a new attorney and agrees to proceed with sentencing with the AFPD. Defendant and attorney have gone over the PSR; no factual disputes. As to Count 1, the Court finds Offense Level 17, consistent with plea agreement, Criminal History 17, leading to a Guideline Range of 37-46 months. Consistent with the plea agreement and Probation's recommendation, the Court sentences the defendant to 37 months custody to be followed by 3 years supervised release under the usual terms and conditions and the special conditions as set forth in the PSR. No fine imposed due to lack of ability to pay a fine; defendant to pay \$100 special assessment due immediately but may be paid through the defendant's participation in the Bureau of Prisons' Inmate Financial Responsibility Program at the rate of \$25 per quarter. Court will recommend placed in a facility as close to the Bay Area as possible. Any remaining counts are dismissed. Defendant remanded to custody of the U.S. Marshal. See J&C for details.

Copies to: Chambers